

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

MICHAEL K. HERRON,
Debtor in Possession.

Bankr. No. 19-24527-TPA

Chapter 11

MICHAEL K. HERRON,

Related to Doc. No. 284

v.

Doc. No.

BANK OF AMERICA, N.A., CHERON
SHELTON and CHANNEL FALLS.


**ORDER AUTHORIZING AND APPROVING THE PROPOSED SETTLEMENT
BETWEEN THE DEBTOR IN POSSESSION AND BANK OF AMERICA, N.A.
RELATED TO THE DEBTOR’S INTEREST IN THE REAL PROPERTY
LOCATED IN PITTSBURGH, PENNSYLVANIA AT 7167 ROSS GARDEN ROAD**

Upon the motion (the “*Motion*”) of debtor in possession, Michael K. Herron (the “*Debtor*”), seeking entry of an order approving a proposed compromise and settlement (the “*Settlement*”) by and among the Debtor and Bank of America, N.A. (the “*BofA*”), and authorizing entry into the Settlement Agreement and Release (“*Settlement Agreement*”), all as further described in the Motion, and the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and venue being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion being adequate and appropriate under the particular circumstances; and upon the record of all proceedings had before the Court; and the Court having found and determined that the relief requested in the Motion is in the best interests of the Debtor’s estate, its creditors, and all other parties in interest and that the legal and factual bases set forth in the Motion establish just

cause for the relief granted herein; and after due and deliberate and sufficient cause appearing therefor, it is **HEREBY ORDERED THAT:**

1. The Motion is **GRANTED** as set forth herein.
2. Pursuant to Federal Rule of Bankruptcy Procedure 9019, the terms and conditions of the Settlement as expressed in the Motion and Settlement Agreement are approved and the Debtor is authorized to enter into the Settlement Agreement in accordance with such terms and conditions. The Court finds and determines that the proposed compromise and resolution embodied in the Settlement Agreement and incorporated herein by this reference are fair, reasonable and appropriate.
3. Notwithstanding any provision in the Federal Rules of Bankruptcy Procedure to the contrary, the terms of this Order shall be immediately effective and enforceable upon its entry.
4. Nothing in this Order constitutes an admission or concession of any legal issue raised in or relating to the Motion or the Settlement.
5. Movant shall serve a copy of this Order on counsel for BofA, respondent(s), their counsel, and the United States Trustee. Movant shall file a certificate of service within three days of the date of entry of this Order.
6. The Court shall retain jurisdiction over the interpretation and enforcement of this Order.

ENTERED: February 17, 2021


THOMAS P. AGRESTI ^{asg}
United States Bankruptcy Judge

In re:
Michael K. Herron
Debtor

Case No. 19-24527-TPA
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Feb 17, 2021

User: agro
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 19, 2021:

Recip ID	Recipient Name and Address
db	+ Michael K. Herron, 1276 Tacoma Street, Hernando, FL 34442-3237

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 19, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 17, 2021 at the address(es) listed below:

Name	Email Address
Alexander R. Kalyniuk	on behalf of Defendant Internal Revenue Service United States of America Alexander.R.Kalyniuk@usdoj.gov, Robert.D.Metcalf@tax.usdoj.gov;eastern.taxcivil@usdoj.gov
Aurelius P. Robleto	on behalf of Attorney ROBLETTO KURUCE PLLC apr@robletolaw.com, rmk@robletolaw.com,ecf_admin@robletolaw.com,apr@ecf.courtdrive.com,G16422@notify.cincompass.com
Aurelius P. Robleto	on behalf of Plaintiff Michael K. Herron apr@robletolaw.com, rmk@robletolaw.com,ecf_admin@robletolaw.com,apr@ecf.courtdrive.com,G16422@notify.cincompass.com
Aurelius P. Robleto	on behalf of Debtor Michael K. Herron apr@robletolaw.com, rmk@robletolaw.com,ecf_admin@robletolaw.com,apr@ecf.courtdrive.com,G16422@notify.cincompass.com
Brian Nicholas	

District/off: 0315-2

User: agro

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Total Noticed: 1

on behalf of Creditor BANK OF AMERICA N.A. bnicholas@kmlawgroup.com

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Brian M. Kile

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on behalf of Creditor Wells Fargo Bank National Association cwohlab@raslg.com

Charles Griffin Wohlrab

on behalf of Creditor Wells Fargo National Association as Trustee for Banc of America, Alternative Loan Trust 2005-11,
Mortgage Pass-Through Certificates, Series 2005-11 cwohlab@raslg.com

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on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER pabk@logs.com logsecf@logs.com

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Mortgage Pass-Through Certificates, Series 2005-11 kebeck@bernsteinlaw.com, jbluemle@bernsteinlaw.com

Kevin Scott Frankel

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klittle@logs.com;logsecf@logs.com

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Asset-Backed Certificates, Series 2006-OPT5 wbecf@brockandscott.com, mario.hanyon@brockandscott.com

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on behalf of Creditor U.S. Bank Trust National Association as Trustee of the Bungalow Series III Trust pecarchik1@msn.com,
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Norma Hildenbrand, on Behalf of the United States Trustee by

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TOTAL: 28